Government of Kerala
1981

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVI] Trivandrum, Friday, 20th November 1981 / 29th Karthika 1903 [No. 926

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport—B) Department

NOTIFICATION

No. 5392|TB3|80|TF & P. *Dated, Trivandrum, 20th November,* 1981.

WHEREAS a Reciprocal Agreement and a supplementary agreement between the Governments of Kerala and Tamil Nadu have already been entered into in respect of inter-state routes as per Notification No. 36951||TB3|74|PW dated the 30th June, 1976 and published as S. R. O. No. 699|76 in the Kerala Gazette Extraordinary No. 393 dated the 30th June, 1976 and Notification No. 6583|TB3|78|W & T dated the 1st October, 1979 published as S. R. O. No. 1127|79 in the Kerala Gazette Extraordinary No. 715 dated the 1st October, 1979, respectively;

AND WHEREAS the Government of Tamil Nadu and Government of Kerala have agreed to enter into a further supplementary Agreement under section 63 of the Motor Vehicles Act, 1939 (Central Act IV of 1939), for the enhancement of public carrier goods vehicles on inter-state routes by the operators of both States on single point tax basis;

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NOW, therefore, in exercise of the powers conferred by sub-section (3A) of section 63 of the Motor Vehicles Act, 1939 (Central Act IV of 1939), and in supplementation to the said reciprocal agreement and in partial modification of the said supplementary agreement in the matter mentioned above, the Government of Kerala hereby publish the following draft supplementary agreement to be entered into with the Government of Tamil Nadu;

Notice is hereby given that the said draft agreement will be taken up for consideration on or after 21-12-1981 and that any objections or suggestions that may be received from any person with respect to the said draft agreement before the date specified above will be considered by the Government of Kerala.

Objections and suggestions, if any, in duplicate shall be addressed to the Special Secretary to the Government of Kerala, Transport, Fisheries and Ports (Transport—B) Department, Government Secretariat, Trivandrum

By order of the Governor,

P. Sankaran Nair,

Additional Secretary to Government.

DRAFT SUPPLEMENTARY INTER-STATE AGREEMENT No. 2

This Agreement is made this the..........day of............ One Thousand, Nine Hundred and Eighty-one (1981) between the Governor of Tamil Nadu (Hereinafter called "The Government of Tamil Nadu" which expression shall, where the context so admits, include his successors in office) on the one part and the Governor of Kerala (hererinafter called "The Government of Kerala" which expression shall, where the context so admits, include his successors in office) on the other part.

Public Carriers

(a) Subject to the other conditions of the existing agreements, the total number of permits (other than temporary permits issued under section 62 of the Motor Vehicles Act, 1939) for public carrier goods vehicles for operation on inter-state routes between Tamil Nadu and Kerala, on single point tax shall be fixed as 3800 and the number of such permits issued in each state shall not exceed 1900.

(b) The quota of such public carrier permits of each State to be countersigned by other State, in accordance with the proviso to sub section (3) of section 63 of the Motor Vehicles Act, 1939, shall be 1900, the position being reviewed when the number of permits in any one State reaches 1375.

Explanatory Note

(This is not part of the notification, but is intended to bring out its main purport).

As per the existing inter-state reciprocal agreement between the Governments of Kerala and Tamil Nadu the quota of public carrier permits for inter-state operation between the two states on single point tax basis is fixed as 1400. As all the 1400 permits allotted have been fully utilised by both the States and as there is pressing demand for operation of more number of such vehicles, both State Governments have agreed to enhance the number of the public carrier permits for inter-state operation from 1400 to 1900. This notification is intended to achieve the above purpose.

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GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport B) Department

NOTIFICATION

G. O. (P) 106/81/TF & P. *Dated, Trivandrum, 17th November*, 1981.

S. R. O. No. 1374/81.—In exercise of the powers conferred by clause (a) of sub-section (2) of section 70 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the Government of Kerala hereby make the following rules further to amend the Kerala Motor Vehicles Rules, 1961 the same having been previously published as required by sub-section (1) of section 133 of the said Act, namely:—

Rules

1. *Short title.*—These Rules may be called the Kerala Motor Vehicles (Amendment) Rules, 1981.

2. *Amendment to the rules.*—In the Kerala Motor Vehicles Rules, 1961,—

(i) in sub-rule (1) of rule 265, after the existing proviso the following further proviso shall be added, namely:—

"Provided further that in the case of an All India Tourist Omnibus, the overall width shall be not exceeding two metres and fifty centimetres".

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(ii) in sub-rule (2) of rule 267, after the existing proviso the following further proviso shall be added, namely:—

"Provided further that in the case of an All India Tourist Omni bus, the overall length shall be not exceeding ten metres and fifty centimetres".

(iii) in rule 294, after the existing proviso, the following further proviso shall be added, namely:—

"Provided further that in the case of an All India Tourist Omni bus the Rear Overhang shall be not exceeding 80% of the Wheel base".

By order of the Governor,

P. SANKARAN NAIR,

Additional Secretary to Government.

Explanatory Note

(This is not part of the notification but is intended to indicate its general purport).

The Government of India in exercise of the powers conferred by clause (i) of sub-section (10) of section 63 of the Motor Vehicles Act 1939 (Central Act 4 of 1939) have specified dimensions of All India Tourist Vehicles eligible for tourist permits under sub-section (7) of section 63 of the Act, as per their notification No. G.S.R. 346 (E) dated the 19th May, 1976. Government consider that these dimensions may be incorporated in the Kerala Motor Vehicles Rules, 1961 so as to have the Transport Authorities necessary guidelines in this regard. Hence this notification.

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